



U.S. Department of Justice
Immigration and Naturalization Service

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425 I Street NW
Washington, DC 20536

September 3, 1999

MEMORANDUM FOR REGIONAL DIRECTORS
DISTRICT DIRECTORS (INCLUDING FOREIGN)
SERVICE CENTER DIRECTORS

FROM: William R. Yates
Deputy Executive Associate Commissioner
Office of Field Operations
Immigration Services Division

SUBJECT: Completion of FY 1999 Diversity Visa Lottery Cases

Individuals who won the FY 1999 diversity visa lottery lose eligibility for their immigration benefits on October 1, 1999. The purpose of this memorandum is to encourage field offices to complete FY 1999 diversity visa cases before October 1, 1999, and to remind offices of critical procedures for adjudicating these cases.

Pending Adjustment of Status Applications

Field offices must review all pending Forms I-485, Applications to Register Permanent Residence or Adjust Status, to identify those based on the FY 1999 diversity visa lottery. Offices must make every effort to approve eligible applicants before October 1, 1999. However, the following controls must be maintained for these applications:

1. FBI Fingerprint Checks. Offices must receive FBI responses to fingerprint checks before an application is adjudicated. If you need assistance obtaining an FBI response, contact your regional representative or your headquarters regional coordinator. Post-audits of FBI fingerprint checks are not allowed.
2. Form I-181. Form I-181, Copy 2 must be completed for each application and forwarded to the appropriate service center.

3. CIA G-325 Checks. CIA G-325 checks may be post audited for these applications. The guidelines for post auditing a CIA G-325 check are in Policy Memorandum No. 49, CIA G-325 Post Audit Guidelines, dated April 21, 1999.
4. Lottery Winning Applications: The winning application filed with the Department of State must be retrieved from the National Visa Processing Center and associated with A-file. Using these documents, the DAO must confirm that the identity of the applicant for adjustment and the lottery winner is the same.
5. Current Visa Number. An application may not be approved unless the visa number is current. Visa numbers are obtained by fax from visa control at the Department of State. Fax confirmations that a visa number is allocated to the beneficiary must be made part of the record of an application by placing them on the left side of the A-file.

Derivative Applicants Living Abroad

Field offices and service centers must review all Forms I-824, Application for Action on an Approved Application or Petition, to identify those filed by a derivative applicant following to join a principal FY 1999 diversity visa immigrant. Offices must make every effort to approve eligible derivative applicants in time for them to be processed for an immigrant visa before October 1, 1999. However, the following controls must be maintained for these applications:

1. Form I-181. If the A-file of the principal alien is at a service center, the field office must contact the service center to obtain a duplicate Form I-181. The officer adjudicating the I-824 must add the name and address of the derivative and an original approval stamp to the faxed copy of the original I-181 of the principal.
2. Notification of Consulate. The duplicate Form I-181 must be sent, by pouch, to the U.S. Embassy or Consulate with jurisdiction of the derivative applicant's place of residence. However, to ensure immigrant visa processing before October 1, 1999, the Form I-181 must also be faxed to the appropriate consulate. There is no fee for this additional service.

FY 2000 Diversity Visa Cases

As in FY 1999, FY 2000 Diversity winners are eligible to file the I-485 three months in advance of the date on which the Visa Bulletin shows that their rank-cut off number is current. The Office of Field Operations will issue guidelines on processing FY 2000 diversity visa cases shortly.

Point of Contact

If you have questions regarding processing FY 1999 diversity visa cases, please contact Michelle A. Egan, Central Regional Coordinator, Immigration Services Division by cc:Mail.